No. L. 1399--Ml. 91-33-1, dated 22nd August 1933.

In supersession of the rules in force on the subject and in exercise of the powers vested under sections 6 (3) (a) and 106 (2) (b) of the Mysore Minor Municipalities Regulation, 1933, and all other powers in this behalf, the following rules for regulating the election of members to the municipal councils in minor municipalities are made by the Government :—

Minor Municipal Election Rules.

Definitions.

1. In these rules,

(1) "The Deputy Commissioner" means the Deputy Commissioner of the district in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate, any of his powers or duties under these rules;

(2) "The Regulation" means the Mysore Minor Municipalities Regulation, 1933;

(3) "Returning Officer" means, in respect of the municipality or municipalities entered in the first column of the table given below, the person mentioned in the second column of the said table.

TABLE.

Municipality.	*Returning Officer.*
Minor municipalities having official presidents.	The President of the municipal council concerned.
Every other minor municipality.	A person appointed by the Deputy Commissioner of the district.

Divisions and elective councillors.

2. (1) The Deputy Commissioner may, in accordance with such instructions, if any, as may be issued from time to time by the Government in this behalf, divide the municipality for electoral purposes into as many divisions as may be necessary, the boundaries of which shall be clearly defined and when such a division has been made, he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented by election.

(2) The divisions into which the minor municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned to the several divisions therein, shall be deemed to have been fixed and apportioned under sub-rule (1).

(3) The Deputy Commissioner may, subject to the orders, if any, issued by the Government from time to time, alter the number and boundaries of the divisions and vary the number of councillors to be elected by each division.

List of Voters.

3. (1) The Returning Officer shall, not less than one month prior to the date on which an election is to be held, prepare a list of persons entitled to vote under section 7 of the Regulation.

(2) If the municipality has been divided for electoral purposes into divisions, such list shall show the persons entitled to vote in each division separately.

4. (1) A copy of the list so prepared shall be published by affixing a copy thereof :—

(*a*) in Kannada, and

(*b*) if the Returning Officer so directs, in English also, at the municipal office, in the taluk office, if any, within municipal limits, and in such other conspicuous places in the municipality as the said officer may consider suitable.

(2) When the list has been so published, the Returning Officer shall, by beat of tom tom and printed hand-bills, give public notice thereof, and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim, may apply in writing to the Returning Officer for the amendment of the list.

(3) A copy of the hand-bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office and in the office of the Amildar or the Deputy Amildar of the taluk within which the municipality is situated.

5. Each voter shall be entitled to vote in the division in which he resides.

6. No person shall vote in more than one division.

Revision of list.

7. (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list, who thinks that his own name or that of some other person has been wrongly entered therein, may apply in writing within a week from the date of publication of the list to the Returning Officer for the amendment thereof.

(2) The Returning Officer shall hear and decide any objection to the claims and objections received under sub-rule 1. The decision of the Returning Officer on the claims and objections put forward shall be final and the Returning Officer shall keep a record of his decision with brief reasons therefor and communicate the substance of his decision to the parties concerned and the municipal council.

(3) Any additions to, or omissions from or corrections in the list which the Returning Officer discovers to be necessary, otherwise than on the application of any person interested therein, shall also be made by him.

Publication and custody of list of voters.

8. (1) The list of voters shall be amended in accordance with the decision of the Returning Officer and a copy thereof signed by the Returning Officer shall be kept in safe custody in the municipal office.

(2) A copy of the list as amended shall be published in the manner prescribed in rule 4 within a fortnight from the date of first publication of the list of voters, under rule 4 (1) *supra*.

Publication of date, place, etc., of election.

9. At least one month before the date fixed for election, the Returning Officer shall publish, in the manner prescribed in rule 4, a notice containing the following particulars :—

(1) the date, place and hour of election ; and

(2) the latest date for the receipt of applications for candidature.

Intimation of Candidature.

10. Every person who wishes to stand for election in any division shall, within three days of the publication

of the amended list under rule 8 (2), signify his intention by applying in writing to the Returning Officer in Form A hereto appended.

Preparation and publication of list of eligible candidates, etc.

11. The Returning Officer shall, at 5 P.M. on the last day fixed for receiving applications for candidature, read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in the municipal office with a notice that objections, if any, to the candidature of the persons specified in the list will be heard and disposed of by him at 3 P.M., on the third working day after the date of the publication of the aforesaid notice. He shall hear objections, if any, and after such summary enquiry as he may deem necessary regarding such objections, he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names. If any name is rejected, the reason for such rejection shall be recorded.

(2) When the number of eligible candidates is more than the number of members to be elected, the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf.

(3) A list of eligible candidates with the symbols, if any, assigned under sub-rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office.

(4) On the day of election, the list of candidates and the symbols assigned for them shall be displayed prominently at each polling station for the information of the voters.

Conduct of Elections.

12. When the number of candidates does not exceed the number of vacancies, the candidate or candidates may be declared by the Returning Officer elected without any votes being recorded. For purposes of rule 27 of these rules such candidates shall be considered to have got the highest number of votes.

13. If there are more candidates than there are vacancies, votes shall be taken in accordance with the procedure prescribed in the following rules.

14. The Returning Officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately.

15. The Returning Officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary. The said officer shall also appoint one or more identifying officers at each polling station to assist the polling officer in identifying the voters.

16. (1) On the morning of the election day, the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers, a list of voters and a bound book or books of voting papers serially numbered in foil and counterfoil, one voting paper for each voter in the list of voters.

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes, cubicles or screens, and other matters of detail.

17. (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates.

(2) If, before the poll has commenced, a person whose candidature has been published under rule 11 withdraws his candidature or dies, or if the Returning Officer is satisfied after affording opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true, the Returning Officer shall remove his name from the voting paper.

18. Specimen voting papers shall be posted outside the polling booths for the guidance of voters at least 48 hours before the election commences.

19. (1) On the day of the election, the polling officer shall admit to the ante-room of the polling booth the candidates whose names are displayed under rule 11(4).

(2) Beside candidates, only voters and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf, shall be admitted to the polling booth.

20. The candidates shall not speak to or address any intending voter in the ante-room, but may only address to the polling officer objections to a voter on the following three grounds :—

First.—That his name is not on the list of voters of the division in respect of which the election is being held.

Second.—That his claim to be a particular voter shown on the list of voters is false.

Third.—That he has already voted.

Any person breaking this rule may be expelled from the ante-room by the polling officer and shall not be re-admitted during the election.

21. The procedure for recording each voter's vote shall be as follows :—

(*i*) The vote shall be given by ballot.

(*ii*) Every voter may vote for as many candidates as there are councillors to be elected for the division.

(*iii*) There shall be no voting by proxy.

(*iv*) As each intending voter enters the ante-room, his name and his number in the voter's list shall be announced so that all present can hear them.

(*v*) The polling officer shall dispose of any objections raised by candidates and, when satisfied that the intending voter is entitled to vote and has not yet voted, shall initial the foil of a voting paper and, after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal, give the foil to the voter and admit him to the polling room.

(*vi*) The voter, after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote, folding and after closing the voting paper put it into the ballot box.

(*vii*) If a voter through blindness, illiteracy or any other cause is incapable of recording his vote for himself, the polling officer shall assist him, if so desired, in marking the vote on the voting paper and putting the voting papers into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer.

22. It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy, that only such persons as may be admitted to the polling booth under these rules are admitted thereto, and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately. It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects.

23. On the conclusion of the poll, the polling officer shall seal up the aperture of the sealed box and forthwith

deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it seal till the votes are counted. The polling officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 30.

Determination of results of elections.

24. The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting.

In the case of a new municipality, the box shall be opened in the presence of the Returning Officer by three scrutineers appointed by the Deputy Commissioner.

25. Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid.

26. If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy, the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting, in such manner as the municipal council at such meeting shall determine or by the Returning Officer in the case of a new municipality.

27. Whenever one and the same person gets the highest number of votes in more than one division, he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election, the Deputy Commissioner shall declare him to have been elected for one such division. In such cases, the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions. In the event of there being no such candidate in any such division, a fresh election shall be held for the same.

28. The result of the election shall be declared by the chairman of the meeting or the Returning Officer, as the case may be, and shall be recorded in the minutes of the proceedings of the meeting.

Custody and destruction of voting papers.

29. When the voting papers have been scrutinised, they shall forthwith be replaced in the ballot boxes from

which they were taken and these boxes after being locked and sealed with the municipal seal or in the case of a new municipality with the seal of the Returning Officer, shall be kept by the President of the municipal council or in the case of a new municipality, by such officer as may be appointed by the Deputy Commissioner for this purpose in safe custody.

30. On the expiry of fifteen days from the date of the declaration of the result of the election, or if any application regarding the election is made to the Munsiff under section 11 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days, then whenever such application has been finally disposed of, the voting papers including both those in the ballot box and those in the sealed book in the polling officer's custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose.

Report of results of elections.

31. The names of persons declared to have been elected under rules 12 and 28 shall be communicated with the least practicable delay to the Deputy Commissioner who shall notify the same in the *Mysore Gazette* along with the names of the nominated Councillors.

32. *Power of Deputy Commissioner to alter dates.*— The Deputy Commissioner may, for sufficient reasons, enlarge the periods or alter the dates fixed for the several stages of election in the case of any municipality under the foregoing rules.

By Order,
H. V. RAMASVAMI,
General Secretary to Government.

FORM A.

(REFERRED TO IN RULE 10).

Application for candidature.

Name of division for which the candidate intends to stand for election.	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the Voters' list.	

Date..... ..... Signature of candidate.

Declaration by the candidate.

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore Minor Municipalities Regulation, 1933, or the rules thereunder to be a candidate.

Date..... Signature of candidate.

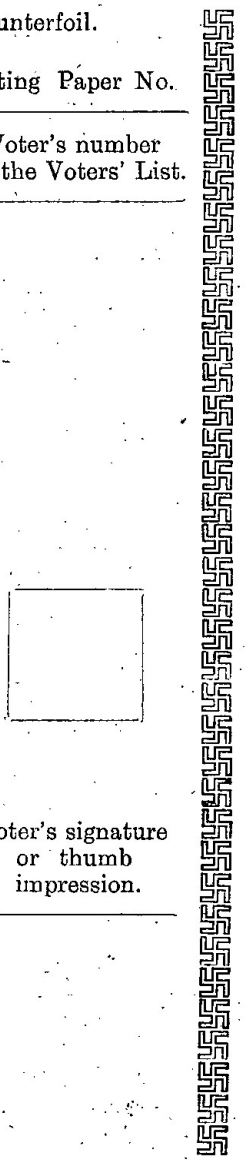
FORM B.

(REFERRED TO IN RULE 17.)

Counterfoil.

Voting Paper No.

Voter's number on the Voters' List.



Voter's signature or thumb impression.

Foil.

Voting paper No.

Serial No.	Candidate's name	Candidate's symbol	Voter's mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is.....

(2) Place a cross mark thus × against the candidate for whom you each of the candidates wish to vote.

(3) The mark should be placed against not more than..... name. names.